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Veröffentlichungsversion / Published Version
Zeitschriftenartikel / journal article

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Empfohlene Zitierung / Suggested Citation:

Funston, J. (2018). Malaysia's 14th General Election (GE14) - The Contest for the Malay Electorate. *Journal of Current Southeast Asian Affairs*, 37(3), 57-83. <https://nbn-resolving.org/urn:nbn:de:gbv:18-4-11484>

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Journal of Current Southeast Asian Affairs

Special Issue: The 2018 Malaysian General Elections

Funston, John (2018),
Malaysia's 14th General Election (GE14) – The Contest for the Malay Electorate,
in: *Journal of Current Southeast Asian Affairs*, 37, 3, 57–83.

URN: <http://nbn-resolving.org/urn:nbn:de:gbv:18-4-11484>

ISSN: 1868-4882 (online), ISSN: 1868-1034 (print)

The online version of this article can be found at:

[<www.CurrentSoutheastAsianAffairs.org>](http://www.CurrentSoutheastAsianAffairs.org)

Published by

GIGA German Institute of Global and Area Studies, Institute of Asian Studies and
Hamburg University Press.

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Malaysia's 14th General Election (GE14) – The Contest for the Malay Electorate

John Funston

Abstract: The United Malays National Organisation (UMNO) and its allies in the Barisan Nasional (BN) coalition, known as the Alliance until 1974, dominated Malaysian elections for more than six decades. UMNO's winning formula was based on massive support for the politically dominant Malay community, and mobilising government institutions in support of the party. This was undermined towards the end of the 1990s by UMNO disunity, a strengthened civil society, and arrival of a digital media. Demands for comprehensive political and economic reforms (*reformasi*) emerged following the controversial sacking of Deputy Prime Minister Anwar Ibrahim in 1998. UMNO had its worst result ever in the 1999 election, a trend that continued in 2008 and 2013 when BN lost its popular and two-thirds majority. Najib's attempt to reverse this by strengthening the call for Malay dominance and tightening coercion failed. His deep implication in multiple corruption cases, tactical campaign errors, and a united opposition, Pakatan Harapan, led to the BN's stunning defeat.

■ Manuscript received 23 July 2018; accepted 19 November 2018

Keywords: Malaysia, GE14, Barisan Nasional, United Malays National Organisation, Pakatan Harapan, Prime Minister Najib, Bersih

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Introduction

May 9 and May 10 are transformational dates in Malaysia's political history. The general election begun on 10 May 1969 is linked to the traumatic racial riots of 13 May. This in turn led to a move away from an inherited Westminster-style democracy with broad racial equality in a secular state, to a Malay dominated semi-democracy that moved ever closer to an Islamic state. The 9 May 2018 general election (GE14) saw the ruling National Front (Barisan Nasional or BN), dominated by the United Malays National Organisation (UMNO), lose power for the first time since independence in 1957. This has revived the possibility of democracy as conceived in the 1957 constitution.¹

Prime Minister Najib Razak approached this election determined to improve on his disappointing 2013 result, when BN failed to secure two-thirds of the seats and for the first time lost the popular vote. Indeed, his own position as prime minister and UMNO president depended on this. Previous UMNO leaders, including Tunku Abdul Rahman, Mahathir Mohamad, and Abdullah Badawi, were all forced out in anticipation of or after poor electoral performances. Najib's approach was to enhance support by winning over the politically dominant Malay electorate. He not only failed to do this – largely because of corruption scandals and an unwillingness to address political reform – but in the process also alienated a still influential non-Malay vote and lost support in the once “fixed deposit” states of Sabah and Sarawak.

UMNO and its BN allies, known as the Alliance until 1974, dominated Malaysian elections before 2018. Until 2008 the Alliance won elections with a two-thirds majority, enabling it to strengthen its position further by changing the constitution at will. Even after it had lost this majority and then the popular vote, it still won large simple majorities. That was widely expected to continue after a re-delineation of constituencies in 2018 provided further advantages to BN.

The parliamentary seats won in the lower house by the Alliance and the BN from the time of the election for home rule in 1955 are as follows (see Table 1).

1 I have examined the original independence agreement, and UMNO's subsequent development, in Funston (2018a). Much of the detail in the subsequent pages is drawn from this article.

Table 1. Election Results for the Dewan Rakyat, 1955–2013

Election Year	Alliance/ BN		Others		Total
	No. of seats	% of votes	No. of seats	% of votes	No. of seats
1955	51	81.7	1	18.3	52
1959	74	51.7	30	48.3	104
1964	89	58.5	15	41.5	104
1969	92	47.6	52	52.4	144
1974	135	60.7	19	39.3	154
1978	130	57.2	24	42.8	154
1982	132	60.5	22	39.5	154
1986	148	55.8	29	44.1	177
1990	127	53.4	53	46.6	180
1995	162	65.2	30	34.8	192
1999	148	56.5	45	40.3	193
2004	199	64	20	36	219
2008	140	50.9	82	47.9	222
2013	133	47.4	89	50.9	222

Source: Election Commission statistics.

Note: For those elections where BN faced a united opposition – in 1999, 2008, and 2013 – only the percentage of votes for this opposition alliance is listed.

Volatility in the Malay Electorate

Although there have been times when the Alliance/BN electoral dominance has been overwhelming, overall it has not been as complete as statistics might suggest. There has in fact been considerable volatility, often led or reinforced by the politically dominant Malay community. Examples include the following:

- In the 1959 election, feeling ignored by post-independence economic and educational policies, approximately 50 per cent of Malays voted for the Pan Malayan Islamic Party (PAS), giving it 13 parliamentary seats and control of two state governments: Kelantan and Terengganu.
- A decade later Malay support for PAS was at a similar level, for the same reasons. PAS gained 12 parliamentary seats, won the state assembly convincingly in Kelantan and fell just short in Terengganu (11 of 24 seats). Non-Malay voters helped the opposition secure assembly wins in Penang and Perak, and equal seats in Selangor. Technically, the Alliance failed to win 50 per cent of the popular vote or secure a two-thirds parliamentary majority, but it did both three days

after voting concluded when a minor Sarawak party agreed to join the Alliance coalition.²

- In 1999, the non-Malay electorate handed the BN a comfortable win (148 of 193 seats), but UMNO had its worst result ever. For the first time the BN faced a united Alternative Front (Barisan Alternatif) that brought together the main opposition parties: the predominantly Chinese Democratic Action Party (DAP), the Malay-Islamist PAS, and the new interracial National Justice Party (Parti Keadilan Nasional, Keadilan or PKN) linked to former deputy prime minister Anwar Ibrahim. In the wake of Mahathir's sacking and jailing of Anwar, and the arrival of the *reformasi* movement, UMNO's parliamentary seats declined from 94 (89 elected in 1995) to 72. PAS achieved its best result ever, winning 27 seats, and as part of the Alternative Front retained power in Kelantan and regained Terengganu. Less than half the Malay vote went to UMNO, with some accounts suggesting this was below 40 per cent.³
- In 2008, DAP, PAS, and Keadilan cooperated in a loose coalition. They won 82 parliamentary seats, leaving the government with 140, short of the important two-thirds majority. Opposition parties also won power in five states (Kelantan, Kedah, Penang, Selangor, and Perak – although they soon lost the latter when three assemblypersons changed sides). Having achieving its best result ever in the preceding 2004 election, BN slumped to its worst result ever.
- In 2013, the same three opposition parties united as the People's Alliance (Pakatan Rakyat, PR) won 89 seats, again leaving BN short of a two-thirds majority. More importantly, PR won the popular vote with 50.9 per cent to the BN's 47.4 per cent. At the state level, it lost Kedah and Terengganu but maintained its hold over Kelantan, Penang, and Selangor. Najib blamed the result on a "Chinese tsunami," but in both 2008 and 2013 urban Malays also made a major contribution to opposition gains.

In 2018, the BN faced the Alliance of Hope (Pakatan Harapan, PH) – a coalition of DAP; the People's Justice Party (Parti Keadilan Rakyat –

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- 2 Before post-election realignments the Alliance obtained 48.6 percent of the vote for the peninsula, and 47.6 percent for Malaysia as a whole. But the reality of support for the Alliance was greater, because in the areas where it had strong support it won nine peninsula seats and 20 Malaysia-wide seats that were uncontested. See Funston (2018b: 50–51).
 - 3 Datuk Azmi Khalid, minister for rural development, reported in *Berita Harian* (2000). Also, Kamarudin Jaffar has estimated 70 per cent of Malays voted against UMNO. Cited in Roslan (2001: 20).

Keadilan or PKR, a reiteration of the earlier PKN); the Malaysian United Indigenous Party (Parti Pribumi Bersatu Malaysia, Bersatu or PPBM), a breakaway from UMNO established in September 2016; and the National Trust Party (Parti Amanah Nasional, Amanah or PAN), a breakaway from PAS established September 2015. Separately, the Sabah Heritage Party (Parti Warisan Sabah, Warisan), established as a breakaway from UMNO in October 2016, agreed to work with PH without becoming a member. This unlikely alliance exceeded previous opposition efforts, winning both a simple majority and a much higher percentage of the popular vote than BN and new rival PAS. UMNO's and the BN's positions soon weakened further as parliamentarians resigned and coalition partners declared independence. Details of the election outcome are discussed in more detail below.

How was it that the UMNO-led coalition remained so dominant for more than 60 years in the face of electoral volatility? What circumstances led to its crushing defeat in 2018? And what part did the Malay electorate play in this election?

UMNO's Winning Formula

The key to the BN's long-term electoral dominance lies in the far-reaching changes introduced after the riots of 13 May 1969. Following 21 months' rule by an appointed National Operations Council (NOC) made up of eight Malays and only two non-Malays, parliamentary democracy resumed accompanied by changes that made Malaysia more Malay- and UMNO-oriented, more corporatist, and less democratic. Interpreting the causes of 13 May as Malay insecurities over non-Malay economic and political gains, government leaders sought resolution by mobilising state resources to assist Malays and other indigenous groups (collectively known as *bumiputera*), revitalising and entrenching UMNO's position as the dominant party, and enhancing UMNO control over the state.

The New Economic Policy (NEP), implemented in 1971, ostensibly sought to eliminate poverty irrespective of race, and to restructure the economy so that race would not be identified with economic function. In practice it became a vehicle for UMNO to oversee a massive transfer of state funds to Malays. Private companies had to set aside 30 per cent of shares for *bumiputeras*. Foreign companies had to have *bumiputera* partners. Government-linked companies (GLCs), including banks, had to give preference to *bumiputera* businessmen. Large companies had to have senior *bumiputera* executives and at least 30 per cent *bumiputera* employees. *Bumiputera* contractors serviced all government contracts up to MYR 200,000

(Class F contractors), and were given informal preference for larger contracts. A separate ministry devoted to *bumiputera* economic development was established to channel funds into training, credit, and other assistance. A government-run unit trust scheme provided a risk-free investment option that paid well above commercial rates. Such policies were supplemented by expanding *bumiputera* educational opportunities through quotas for higher education and increased scholarships, and expanding employment in the public service.

The 13 May riots also led to a new policy of asserting unambiguously that political power must rest predominantly with Malays through UMNO. The party set about achieving this by using its new-found wealth for political patronage; revising its constitution to provide a more modern framework; reorganising alliances with other political parties formerly in the opposition (leading to the formation of the BN in 1974); and strengthening its control over the bureaucracy, the parliament, and eventually also the judiciary.

The NEP, and high growth rates for most of the 1970s through to the 1990s, provided an almost unlimited source of funds for political patronage, with which UMNO could exert financial control over Malays and offer appealing handouts during elections. At the same time, however, it led to major financial scandals, particularly as UMNO expanded its own direct business role. It also fuelled growing conflict within UMNO as vote buying expanded rapidly to win party office and gain access to new party and government funds. UMNO became known as a party of warlords, with heads of the 191 divisions and a small number of others controlling the party by dispensing financial favours. Eventually, however, this also led to the emergence of a new Malay middle class critical of corruption, the absence of democracy, and other perceived UMNO shortcomings.

UMNO revised its constitution following the 13 Malay riots, concentrating power more directly in the hands of the party leader and the party executive. Later amendments, such as those made after the disastrous 1999 general election, took this process even further and made it difficult for the party to hold its leaders to account.

The formation of the BN broadened the ruling alliance, strengthening UMNO's dominance over coalition partners and the public at large. This proved particularly useful in Sabah and Sarawak, where the incorporation of former party foes helped ensure an important two-thirds majority after the 1969 election. In subsequent years this, and the successful establishment of an UMNO presence in Sabah in 1991, brought the two states into the BN fold so successfully that they repeatedly returned massive BN electoral wins and became known as the BN's "fixed deposit,"

which was particularly important because the two states are over-represented in terms of population and account for some 25 per cent of parliamentary seats.

By 1969 the bureaucracy was already a predominantly *bumiputera* institution, with a four-to-one ratio at the top levels. But by 2005, in a much expanded service, Malays at the “highest management level” numbered 84 per cent, and another 1.4 per cent were other indigenous; Chinese accounted for only 9.3 per cent, and Indians 5.1 per cent (Centre for Public Policy Studies 2006). Among the lower ranks the *bumiputera* component was even larger. At the same time the government ensured that bureaucratic leaders served UMNO interests. New organisations were established to secure control over the population at large, such as Kemas (Bahagian Kemajuan Masyarakat), the Social Development Division in the Rural Development Ministry (established in 1970), and the citizen’s military Rela (Jabatan Sukarelawan Malaysia), which was founded in 1972. The Village Security and Development Committees (Jawatankuasa Kemajuan dan Keselamatan Kampung, or JKKK), established in the 1960s to act as the eyes and ears of the government, were expanded and provided with more resources.

Some bureaucratic agencies had a particularly direct influence on elections, including, notably, the Election Commission (EC), which was responsible for delineating constituencies, maintaining an electoral role, and conducting elections. Supposedly an independent organisation, but falling under the Prime Minister’s Department, and with all seven members appointed by the prime minister, it essentially promoted UMNO’s interests (Ostwald 2017; see also Lim Teck Gee 2018). In 2013 outgoing EC head Tan Sri Abdul Rashid Abdul Rahman declared that over several elections he had ensured Malays remained in power.⁴ Several legislative changes essentially removed opportunities to challenge EC decisions, including a 2002 amendment that precluded any legal challenge to the electoral roll once this had been gazetted (Funston 2006: 141). In addition, the final decision on any re-delineation was in the hands of the prime minister and parliament.

The Registrar of Societies (ROS) also played an important role, since its approval was necessary for political parties to compete in elections. ROS has had a tradition of making life difficult for opposition parties. In the run up to the 2013 elections it kept everyone guessing until the last

4 Muzliza Mustafa (2013). I have documented numerous examples of EC intervention to assist UMNO and the BN in the 2004 election (Funston 2006: particularly 141–142, and 149–151).

moment before allowing DAP to participate under its own banner, and refused to recognise the opposition Pakatan Rakyat coalition as a party.

Several agencies were involved in the selective prosecution of the opposition, or in making decisions favouring the BN government. The attorney-general has exclusive powers to prosecute or not, and on several occasions pressed charges against opposition members while not proceeding against BN – notably in the decision to exonerate Najib in relation to reports of money paid into his private bank account from firms related to 1 Malaysia Development Berhad (1MDB). Police also followed a similar path, with recent leaders seen as personally close to Najib. The Malaysian Anti-Corruption Commission (MACC), the head of which is appointed by the prime minister and reports to the prime minister, also generally fulfilled government wishes, taking tough and immediate action against opposition members while stalling or exonerating BN leaders. When, however, an attorney-general and some members of the MACC threatened to act against Najib over 1MDB they were dismissed, transferred, or pressured to retire.⁵

After Mahathir's sacking of Malaysia's top judge in 1988, the judiciary also largely deferred to government wishes. In a number of controversial cases judges were in complete agreement with the government in the face of almost universal scepticism. The two cases against Anwar Ibrahim are the best known examples of judges taking decisions that were broadly condemned by critics such as the Bar Council in Malaysia and international legal experts (Trowell 2012, 2015).⁶

With a comfortable majority in parliament, the then BN government had no difficulty pushing through its legislative agenda. Key legislation on a wide range of issues, including security matters, was presented at short notice (sometimes only a day before) and rushed through in a few hours – notwithstanding a promise by Najib to allow adequate public consultation on all important legislation.⁷

5 Controversial MACC head prior to the GE14, Dzulkifli Ahmad, was strongly criticised by PH members for actions considered favourable to the BN, and was one of the first forced to resign after the PH took power. His successor spoke emotionally about the pressure put on him and others to stop investigations into Najib's involvement with 1MDB (*New Straits Times* 2018). Prime Minister Mahathir subsequently announced that the MACC would be shifted from the Prime Minister's Department to parliament (Aziz 2018).

6 Mark Trowell was a trial observer for the Geneva-based Inter-Parliamentary Union and various international legal organisations.

7 In February 2012, Najib promised that all draft law changes would be available on the website of the ministry concerned so that public opinion could be taken into account (*Utusan Malaysia* 2012).

Finally, during its rule the BN maintained and extended its control over the mainstream media. Television and radio were largely government owned, and what private ownership there was belonged in most cases to UMNO-linked companies. All of the mainstream print media outlets were owned by BN-linked companies. UMNO went into the media business as early as 1961, when it took over the leading Malay-medium daily, *Utusan Melayu*. It expanded its role further in 1972 when it purchased the major English paper the *Straits Times* (soon cut from its Singapore base and re-branded as the *New Straits Times*), as well as acquiring the Malay-language offshoot *Berita Harian*.

The Challenge to UMNO's Winning Formula

By the late 1990s a series of events undermined UMNO's winning formula. The early 1990s had been a period of remarkable economic growth, exceeding 8 per cent per annum, in Malaysia. This growth created a new, more critical middle class – Malay and non-Malay – which made its presence felt in both UMNO and society as a whole, particularly after the Asian financial crisis that began when Thailand floated its currency on 2 July 1997. These changes divided UMNO, civil society became a more influential political player, and the digital media began to challenge the mainstream media.

Within UMNO, Anwar Ibrahim's attempts to address problems of corruption while Mahathir was on leave in early 1997 provoked strong opposition within the party. Anwar was accused of sodomy, eventually sacked as deputy prime minister and then as an UMNO member, and jailed for alleged abuse of power. He experienced a near-fatal assault by the head of police at the time of his arrest in September 1998, and the court proceedings that followed were widely regarded as shambolic. This divided UMNO deeply. While the top party leadership remained largely intact, tens of thousands of members left the party, including many of its most talented younger leaders. UMNO arguably never recovered from this. The party divided again in 2016 when several leaders quit the party, including Mahathir, Deputy President Muhyiddin Yassin, and Vice President Shafie Apal, over the 1MDB scandal.

The ramifications of the Asian financial crisis extended beyond UMNO. From the beginning of 1997, civil society critics began to question economic policies that had been successful in promoting economic growth but had also promoted corruption and authoritarian rule. Critics called for *reformasi* – addressing problems with increased democracy and transparency, and opposing corruption, cronyism, and nepotism. After

Anwar's arrest in September 1998, numerous NGOs representing professional, human rights, and Islamic groups joined protests, acting through several united fronts, particularly the Pergerakan Keadilan Sosial (Social Justice Movement) also known as ADIL (Justice), which was launched on 10 December. ADIL was headed by Anwar's wife, Dr. Wan Azizah Wan Ismail, and its 27 committee members and 24 "supporters" read like a who's who of Malaysian NGO movements and academia. ADIL later morphed into the political party now known as Keadilan or PKR, but civil society groups continued to be active, particularly through the Coalition for Clean and Fair Elections (Gabungan Pilihanraya Bersih dan Adil, or Bersih) established in 2005.

Digital media made a mark at the time of Anwar's sacking and subsequent trial. The 1999 election was the first to be influenced by a new, critical online media and a wide range of blogs.

These three factors led to the disastrous (for UMNO) 1999 election, and a steady decline in support for UMNO and BN thereafter. The 2004 election was an exception, because the then unpopular Mahathir had resigned, and Abdullah Badawi promised to implement the *reformasi* agenda himself by reforming UMNO and mounting a campaign against corruption. He failed to deliver. UMNO remained divided and unwilling to reform, and increasingly resorted to an ultranationalist agenda – symbolised by the antics of then youth leader Hishammuddin Hussein unsheathing a Malay *keris* (dagger) at three consecutive assemblies between 2005 and 2007. (Hishammuddin later acknowledged that this had cost non-Malay votes.) Two further developments were important in the lead up to the 2008 election: the establishment of Bersih in 2005 and then of the Indian rights organisation Hindraf in June 2007, following controversial conversions of Hindus to Islam and the demolition of several Hindu temples. Large demonstrations by Bersih on 10 November 2007 and Hindraf on 25 November, each numbering 20,000 or more in spite of the government declaring them illegal and seeking to prevent them, have been widely credited with contributing to government electoral setbacks in 2008.

UMNO followed the same path under Najib's leadership from 2009 to 2013. Najib spoke of the need to reform UMNO but did not make the changes necessary to achieve this. UMNO conflicts were papered over and the party became more nationalistic, notwithstanding a 1Malaysia slogan that explicitly included non-Malays as well. Civil society groups increased opposition to the government, particularly Bersih, which reorganised to become a completely non-government organisation in 2009. Two more Bersih rallies in 2011 and 2012 – again declared illegal by the government – maintained the pressure. The BN vote decreased further in

2013. UMNO increased its seats from 79 to 88, but its share of the vote remained much the same, with at best a marginal increase.⁸

Restoring UMNO's Dominance – Najib's Strategy for the GE14

Buoyed by increased seats for UMNO in 2013, Najib apparently concluded that support from the Malay electorate was critical to success in the GE14. He moved to divide the opposition by cooperating closely with PAS (leading PAS to largely withdraw from the opposition Pakatan Rakyat coalition in 2015), ensured that opposition leader Anwar went to jail on trumped up sodomy charges, investigated and sometimes charged numerous other political opponents on equally spurious charges, blocked or harassed critical web sites, and strengthened legislation to obtain greater power against his opponents.

The efforts to divide the opposition began immediately after the 2013 election, with proposals for an UMNO-PAS Unity Government in Selangor and Perak states. When PAS, under the influence of its Mursyidul Am (Spiritual Leader) Nik Aziz Nik Mat, rejected these overtures, Najib promised sympathetic consideration of PAS plans to introduce Islamic criminal law (*hudud*). In March 2014 the minister in charge of Islamic affairs in the Prime Minister's Department told parliament that the government would help PAS revise its *hudud* law in Kelantan, and assist with amending enabling federal legislation. Najib then allowed PAS leader Haji Abdul Hadi bin Awang to present a private members bill to parliament to amend Act 355 – an important step towards *hudud*.⁹ In December 2015 Najib and

8 Wikipedia is generally reliable on election statistics, but is not accurate in this case. It records UMNO's vote in 2008 as 2,381,725 or 29.98 per cent, and 3,252,484 or 29.42 per cent in 2013. Yet as a proportion of the votes cast reported by Wikipedia – 8,161,039 in 2008 and 11,257,147 in 2013 – the figures should be 29.18 per cent and 28.89 per cent respectively (see reports for 2008 at <https://en.wikipedia.org/wiki/Malaysian_general_election_2008>, and for 2013 at <https://en.wikipedia.org/wiki/Malaysian_general_election_2013>). However most media reports on the UMNO vote in 2013 put it at 3,416,147 or 30.4 per cent of the overall vote (see for example *Malaysia Today* 2013). UMNO benefitted from taking over safe BN seats, previously held by the MCA in at least three constituencies (*ABC News* 2013).

9 In March 2014, the minister in charge of Islamic affairs in the Prime Minister's Department, Jamil Khir, promised to cooperate with PAS to introduce *hudud* in Kelantan – something UMNO had resisted hitherto. After consideration by a joint government-PAS technical committee, a new bill was passed in Kelantan,

Hadi, dressed in identical pink clothing, jointly headed an Al-Azhar Alumni Regional Seminar, during which both sides pledged to work towards Muslim unity. Almost one year later the two presided over a 10,000-strong rally in support of Burmese Muslim Rohingya refugees.

These initiatives yielded immediate dividends for Najib. At its assembly in June 2015 the PAS agreed to sever ties with former coalition partner DAP over the DAP's opposition to the pursuit of *budud*. The conservative wing of PAS gained absolute control over the party, subsequently insisting that Malay Muslims must dominate Malaysian politics and attacking the DAP as a party that was anti-Muslim. When the *Wall Street Journal* accused Najib of corruption in relation to the 1MDB in July 2015, Hadi came to his defence, claiming that four witnesses were necessary (*Malaysia Today* 2015), and subsequently rejected such claims as a foreign attempt to intervene in Malaysia's internal affairs. Sidelined by losing their party functions and disagreeing with the new PAS direction, moderates in the party broke away to form Amanah in September.

Najib also ramped up rhetorical support for *ketuanan Melayu* (Malay domination), aligning his rule more closely with the Malay rulers, conservative Islamic bureaucracies, and extreme Malay-Muslim NGOs such as Perkasa and ISMA (Ikatan Muslimim Malaysia, or Malaysian Muslim Solidarity). At international fora he presented himself to the West as a leader of Muslim moderates, but at home he sought to enhance his Islamic credentials by drawing Malaysia ever closer to conservative Saudi Arabia. Malays and Islam, he alleged, were threatened as never before, and Muslims of all political persuasions must unite to prevent this.

On 10 February 2015, Malaysia's Federal Court found Anwar Ibrahim guilty of sodomy in a case which, as noted earlier, was almost universally seen as based on trumped up charges. Anwar immediately began a five-year jail sentence, and with his eligibility to take part in politics limited for a further five years beyond the release date, Najib's greatest rival was seemingly blocked for the long term. In addition, dozens of opposition leaders, pro-opposition NGOs, and pro-opposition Internet media outlets faced spurious police investigations and, often, charges of sedition, libel, slander, violations of the Communications and Multimedia Act and of Malaysia's Security Offences (Special Measures) Act, illegal assembly, and "activities detrimental to parliamentary democracy." Online publications such

and the same month PAS leader Hadi listed a private members bill for parliamentary consideration, seeking amendment of Act 355 so that Kelantan could implement its revised law. UMNO subsequently allowed Hadi to table his bill in May and November 2016, and to table and speak to it in April 2017, but fearful of non-Muslim opposition it did not allow any parliamentary debate.

as *Malaysiakini* and *The Malaysian Insider* endured police raids and had charges laid against them (eventually forcing the closure of the latter), while the crusading London-based *Sarawak Report* and the moderate *Din Merican* websites were both blocked.

With Anwar side-lined in jail, Najib launched a sustained attack on his remaining key rival Mahathir, blaming him for all the problems in Malaysia, ridiculing the idea of a 92-year-old leading an alliance that aspired to defeat the BN government, having the police interrogate his highly respected 91-year-old wife for speaking at a “Women Against Toxic Politics” rally on 10 September 2017, constantly threatening legal action against him, and even launching a police investigation against him under the Anti-Fake News Act for his allegation that a private plane he used for election campaigning appeared to have been sabotaged. On 18 July 2017, in a further attempt to discredit both Mahathir and Anwar, the government announced a Royal Commission of Inquiry into the billions of ringgits in losses through forex trading in the 1980s and 1990s. This was widely seen as an orchestrated vendetta and an attempt to distract attention from Najib’s problems with 1MDB (see for example Minderjeet Kaur 2017).

Najib also introduced legal changes to enhance executive power. He had repealed the notorious Internal Security Act (ISA) in 2012, but several “reform” bills introduced in 2011 and 2012 clawed back many earlier powers vested in several oppressive laws (Whiting 2013). In 2015 he tightened executive powers further, toughening the sedition act he had once promised to abolish (including adding new powers to restrict the online media), along with passing the ISA-like Prevention of Terrorism Act, and the National Security Council Act giving the prime minister virtually unlimited power to declare a state of emergency over part or even all of the country. On the eve of the GE14 he passed the Anti-Fake News Act, restricting critical comment on any issue deemed offensive by the government.

1MDB Spoiler

Najib may well have got away with these changes were it not for the travails of the state investment fund, 1MDB. By late 2014 media reports had emerged of 1MDB debts amounting to some RM40 billion, and the fund’s involvement in a range of unorthodox financial transactions. The issue escalated when the *Wall Street Journal* reported on 2 July 2015 that firms linked to 1MDB had paid USD 681 million into Najib’s private bank account. After initial denials, Najib soon acknowledged receiving this sum but claimed it was a gift from Saudi royalty to help UMNO in the 2013 election. Najib then came down hard against 1MDB critics. On 28 July he

sacked Deputy Prime Minister and UMNO Deputy President Muhyiddin Yassin, along with UMNO Vice-President and Regional Development Minister Shafie Apdal. On the same day he sacked the attorney-general, Abdul Ghani Patail, who was in the process of preparing 1MDB-related charges against Najib, replacing him with former judge and UMNO parliamentary candidate Mohamad Apandi Ali. He also took disciplinary action against other officials investigating 1MDB; arrested opposition and civil society critics for alleged activities “detrimental to parliamentary democracy”; curtailed the activities of the parliamentary Public Accounts Committee, which was enquiring into 1MDB; ensured that the parliamentary speaker shut down questions on 1MDB; and embargoed an auditor-general report under the Official Secrets Act. In January 2016, Attorney-General Apandi Ali declared Najib’s story was correct and that there was no case against him.

By the eve of the GE14 many observers believed Najib had got away with 1MDB. But the three problem areas identified earlier – UMNO divisions, a strengthened middle class and civil society, and the new digital age – were all affected by the 1MDB saga.

Many of the UMNO rebels, including Mahathir, who resigned from the party in February 2016, joined with other opposition parties (except PAS) on 4 March 2006 to sign a 37-point People’s Declaration calling for Najib’s resignation and institutional change. This was the first coming together of the groups that later made up the PH, formalised when Bersatu joined the coalition on 14 March 2017. Importantly, this represented a reconciliation between those allied to Mahathir and Anwar. Within UMNO itself, most of the party’s warlords rallied behind Najib, but many in the rank and file were not convinced.

For the broader middle class society, and civil society organisations such as Bersih, the 1MDB debacle was a deep affront. Malaysia had become known as an infamous kleptocracy, and its leadership had shamed the whole nation. That message was passed widely through an extensive social media network.

The Campaign

In the weeks immediately before the elections, Najib used the BN’s parliamentary majority to rush through a heavily biased re-delineation of parliamentary seats. This was designed to increase the influence of Malay electors – for example Malay majority seats for the 165 peninsula constituencies increased from 116 to 118, while a seat that had been 53 per cent non-Malay was reconstituted so that Malays and non-Malays were each 50 per

cent – and specifically targeted to benefit UMNO and BN.¹⁰ The EC also brushed aside protests over many irregularities in the electoral roll, and refused to gazette over 100,000 enrolments in 2018. Many were convinced that these actions alone would ensure a BN win.¹¹

Najib announced the dissolution of parliament on 6 April, effective the following day. On 10 April the EC announced that nominations would take place on 28 April, and the elections held on 9 May. The short campaign period and the fact that the vote fell on a Wednesday were both seen as helping the BN. This was especially true of the latter, as voters are required to vote in their constituencies – often far from their workplace – and many would be unable to travel mid-week. After an immediate outcry the government made a small concession by agreeing to make the election day a public holiday.

As it had in 2013, the BN placed Najib at the forefront of its campaign, flooding the country with large pictures of a smiling, benevolent, and almost saintly leader. It made a particular effort to counter opposition claims of entrenched corruption, describing these as lies and supporting this with a nation-wide roadshow by the CEO of 1MDB, Arul Kanda Kandasamy. Otherwise, the BN followed its usual practice of exploiting the “three M’s” – money, machinery, and media.

The BN’s election manifesto, which featured the Trumpesque title “Making My Country Great” (*Hebatkan Negara Akin*), included a number of worthy proposals for economic advancement, but promises of economic handouts were given prominence and no proposals for addressing corruption were included. Cash handouts were a feature of all rallies, as were promises of additional generous benefits once the BN had been re-elected.

The government machinery was exploited in numerous ways, especially through interventions by the ROS and the EC. The ROS refused to recognise PH as a party and suspended Bersatu on 5 April, though it did eventually allow all four PH members to run under the PKR logo. The EC placed multiple obstacles in the opposition’s path, including refusing registration for two prominent PH candidates, outlawing the use of Mahathir’s picture on posters, not allowing the presence of credible external monitors, and refusing to allow even the government’s Human Rights Commission to act as a monitor. Various senior bureaucrats and GLC

10 See for example articles by the president of the Malaysian Bar, Varughese (2018), *Bersih Media Statement* (2018), and Welsh (2018b).

11 See especially two articles in the 8 March edition of *The Economist* (2018a, 2018b). Note also the views of the Merdeka Centre (*The Malaysian Insight* 2018a), and Asila Jalil (2018).

leaders were also pressed into BN service, most famously the aforementioned head of 1MDB. The BN's own machinery functioned efficiently in terms of the usual campaign requirements, such as getting out posters, organising rallies, and sending out canvassing agents.

The BN-controlled mainstream television and print media was mobilised to extol the virtues of the government and highlight the alleged duplicity of the opposition. A heavy investment was also made in the cyber sphere, after shortcomings in this area were identified as contributing to BN setbacks in 2013 elections. The central message was that the Malay electorate would face dire threats to its special position, to the Malay rulers, and to Islam if the PH – allegedly dominated by the Chinese-led DAP – were to take power. Non-Malays were simply warned that if they did not support the BN their interests could not be looked after by a future BN government. Voters should stay with a proven brand.

The PH, by contrast, focused on the rising cost of living for the less well-to-do (linked particularly to a newly imposed and unpopular GST of 6 per cent), together with issues of corruption (1MDB was the most egregious case but there were numerous others, including those involving the Federal Land Development Authority (FELDA); the institution supporting Malay entrepreneurship, MARA (Majlis Amanah Rakyat, People's Trust Council); the defence and youth ministries; and long-standing cases involving the purchase of French submarines and a cattle project involving the family of the head of UMNO's women's wing) and the need for wholesale government reform along the lines advocated by *reformasi* in the 1990s. Its election manifesto, the *Book of Hope (Buku Harapan)*, combined economic populism with a wide array of changes to democratise Malaysia's institutions and make them more accountable. Among the promises were the following:

- Limiting the prime minister's tenure to two terms, and reducing his or her power by prohibiting the holding of additional portfolios and reducing the size of the Prime Minister's Department (PMD)
- Restoring the authority of parliament
- Ensuring transparent and efficient elections
- Reforming the bureaucracy and institutions such as the MACC (including making this body accountable to parliament rather than to the PMD)
- Reforming the police force through measures such as an Independent Police Complaint and Misconduct Commission (a centrepiece of proposals by a Royal Commission in May 2005)
- Enhancing federalism by properly implementing the 1963 Malaysia Agreement with Sabah and Sarawak

- Reforming the justice system via reforms to the judiciary and the attorney-general's department, and by abolishing or amending oppressive laws

The PH was in no position to match the BN in terms of the three M's, but it compensated for this through the mass mobilisation of supporters for canvassing, the efficient use of digital media to get its message out, and popular rallies which built momentum in the final campaign stages.

The Results

A short account of the election outcome is contained in the following table:

Table 2. GE 14 Overview

Parties	Won	Contesting	% popular vote
BN	79	222	33.7
UMNO	54	122	20.6
PH	113	222	48
PKR	47	72	17.1
DAP	42	47	17.4
Bersatu	13	52	5.8
Amanah	11	34	5.4
Warisan	8	17	2.3
PAS	18	157	16.9
Independent	4	29	0.9

Source: Election Commission statistics.

These figures reveal a stunning reversal of fortunes for the two contestants. On election night the BN won only 79 seats, down from 133 in 2013. The PH and Warisan won 121 seats, up from the previous opposition's 89. In all, the BN lost 54 seats and the PH gained 32. In 2013, the BN's share of the popular vote reached a new low of 47.4 per cent, but in GE14 it declined much further to 33.7 per cent. The PH's share of the popular vote remained steady at over 50 per cent, if Warisan and pro-independent representatives are taken into account. The BN won the popular vote in only one state, Sarawak (52.5 per cent). It experienced losses across the board, but particularly in the Malay heartland areas of Kedah and Johor, and Sabah, as the following table reveals.

Table 3. BN Parliamentary Seats by State

BN	2013	2018	Loss
Perlis	3	2	1
Kedah	10	2	8
Kelantan	5	5	0
Terengganu	4	2	2
Penang	3	2	1
Perak	12	11	1
Pahang	10	9	1
Selangor	5	2	3
FT-KL & Putrajaya	3	1	2
Negri Sembilan	5	3	2
Malacca	4	2	2
Johor	21	8	13
Sabah & FT Labuan	23	11	12
Sarawak	25	19	6
Total	133	79	54

State assembly elections, held simultaneously in 12 of Malaysia's 13 states, showed a similar trend. The BN went from controlling nine states to only two (Pahang and the small state of Perlis).

The BN's position was soon weakened further by the withdrawal of coalition partners and three UMNO resignations. By the time parliament resumed in July, the BN was left with the original pre-BN Alliance of UMNO, MCA, and MIC, and had only 54 members in the 222-seat parliament (two contributed by MIC and one by MCA). By October another three UMNO MPs had resigned, followed by five more from Sabah on 12 December, and six more from the peninsula on 14 December.¹²

12 The UMNO members of parliament who have resigned since the general election are Noor Azmi Ghazali Azmi, who quit on 24 June; Syed Abu Hussin Hafiz Abdul Fasal, 27 June; former head of the Women's Youth section (Puteri UMNO) Mas Ermieyati Samsudin, 1 July; former trade minister and UMNO leader in Kelantan Mustapha Mohamad, 18 September; former minister of foreign affairs Anifah Aman, 19 September; Labuan representative Datuk Rozman Isli, 11 October; Sabah MPs Abdul Rahim Bakri, Datuk Azizah Mohd Dun, Yamani Hafez Musa, Datuk Ronald Kiandee and Datuk Zakaria Mohd Edris, all on 12 December; and former domestic trade, cooperatives and consumerism minister Hamzah Zainudin, along with Rosol Wahid, Shabudin Yahaya, Mohd Faisah Mohd Fakeh, Latiff Ahmad and Ikmal Hisham, all on 14 December. At the time of writing Noor Azmi, Mas Ermieyati and Mustapha had joined Bersatu, Rozman joined Warisan, while the rest declared support for the PH government but opted to become independent.

Despite the BN's humiliation, UMNO leaders, and some analysts, have argued that the results were neither a rejection of UMNO nor evidence of a shift in the Malay electorate. UMNO's information head, Annuar Musa, declared that UMNO had obtained 60 per cent of the Malay-Muslim vote (*The Malaysian Insight* 2018b). Former prime minister Najib stated that there was no Malay tsunami against UMNO in GE14, only a divided Malay electorate (*Malaysiakini* 2018b). The current UMNO head and former deputy prime minister, Zahid Hamidi, claimed that UMNO still had strong Malay support of 46 per cent, and that it was "higher than the previous elections" (Chan Kok Leong 2018). With 54 seats on election night, UMNO remained the largest single party in parliament.

Among analysts, one has claimed that UMNO enjoyed the support of 46.29 per cent of the Malay electorate, compared to 28.14 for PAS and 25.47 for PH-Warisan (D A H Ikhwan 2018). A widely quoted survey by the respected Merdeka Centre put Malay support for the PH and Warisan at only 25–30 per cent, while the PAS was said to have received 30–33 per cent and UMNO 35–40 per cent (see for instance, *Malay Mail* 2018).

While a precise measurement of UMNO's support from the Malay electorate is difficult to make without a detailed examination of individual constituencies, these figures misrepresent the movement away from UMNO and the critical role of the Malay electorate in supporting PH. The 15 per cent decline in UMNO seats from 88 to 54 (37 after subsequent resignations) was by far its worst result ever. In 1999 – when UMNO probably gained the support of less than 40 per cent of the Malay electorate – its decline was only 9 per cent, from 89 to 72 seats in a 193 seat parliament.

Several other indicators emphasise the Malay shift from UMNO. Its total vote in an expanded electorate declined from 3,416,310 of 11,257,147 (30.4 per cent of the popular vote) in 2013 to 2,533,234 of 12,299,514 in GE14 (20.6 per cent).¹³ Of the 188 Malay majority constituencies in peninsular Malaysia, the PH won 55 (PKR 30, PPBM 13, PAN 11, DAP 1) to the UMNO's 46; and an electorate with 50 per cent Malays was also won by the PH (PKR). In earlier elections the UMNO had lost only six to seven of 54 rural constituencies with FELDA development schemes, while in

13 As previously noted (footnote 8), the total UMNO vote in 2013 is taken from several media reports. See for example *Malaysia Today* (2013). The figure for 2018 is my own calculation, based on figures provided by the Election Commission and *Malaysiakini*'s <<https://undi.info/>>. Wikipedia has a slightly higher figure of 2,548,251 (<https://en.wikipedia.org/wiki/Malaysian_general_election,_2018>).

2018 it lost 19.¹⁴ There is also evidence that Malay bureaucrats and police and army members abandoned UMNO in significant numbers.¹⁵

Even these figures may flatter UMNO. On election night the EC declared the voter turnout to be 76 per cent, but revised this by more than 6 per cent to 82.32 per cent two days later (*The Star* 2018b). No explanation for this extraordinary difference was given, but the EC's past record suggests that the figures may have been adjusted to strengthen the UMNO/BN vote. And with only 37 parliamentarians now remaining, UMNO is smaller than the PKR, which has 50 members following the joining of three independents.

UMNO was still able to gain support in some rural areas, which now account for approximately 20 per cent of the Malay electorate. Voting data in the Perak constituency of Sungai Siput, for instance, showed that UMNO won 52 per cent of the rural Malay vote, a result likely replicated in several similar constituencies (*Free Malaysia Today* 2018a). But PAS won the rural Malay vote in the east coast states of Kelantan and Terengganu, while PH won the more urbanised constituencies for the rest of the peninsula.

The vote for PAS should not be considered anything but a rejection of UMNO. With widespread speculation that UMNO was about to win the state of Kelantan, PAS electors united against the traditional enemy as they had many times in the past. The PAS's ambitions to be "king maker" could not be realised when it won only 18 seats, compared to 21 in 2013. Its support remained concentrated in its traditional heartland, and the small increase in its popular vote from 14.7 to 16.9 per cent was not exceptional given that it contested more than twice the number of seats it had in 2013 (157 seats as against 73, and on the peninsula 143 compared to 65).

The Malay shift to the PH was assisted by non-Malay support. With Malays accounting for approximately 61 per cent of the peninsula's electorate, and notwithstanding extra weighting in favour of Malay electorates, non-Malays are sometimes still in a position to tip the balance. In 2018, mixed constituencies – where no racial group exceeded 70 per cent of the electorate – accounted for 83 seats. The PH won 73 of these (Ong Kian Ming 2018). Analysts concur that over 90 per cent of the Chinese vote

14 On FELDA voters prior to 2018, see for example Saravanamuttu (2017). On the 2018 election, see Yuen (2018).

15 DAP MP Ong Kian Ming (2018) notes that "the four parliament seats with more than 10,000 early voters (mostly police and army) were all won by Pakatan Harapan." In his own constituency of Bangi, Selangor, the BN won only 23 per cent of the 1,305 postal votes (mostly army).

went to the PH, an increase from an estimated 85 per cent in 2013, and the party obtained the votes of approximately 70 per cent of Indians (*Free Malaysia Today* 2018b; *The Malaysian Insight* 2018a).

It cannot, however, be said that the elections resulted in a government dominated by non-Malay/Muslims. One analyst has argued that this was so because for the first time non-Muslim parliamentarians outnumbered Muslims in the ruling coalition (PH and Warisan) (Kamarul Zaman Yusoff 2018a). Malaysia's leading proponent of Malay-Islamic dominance, PAS leader Hadi Awang, has also endorsed this interpretation (*The Malaysian Insight* 2018d). On election night the government had 63 non-Muslim MPs, but only 58 Muslims – 27 from PKR, 13 from Bersatu, 11 from Amanah, six from Warisan, and one from DAP – comprising 47.9 per cent of the total. Post election three non-Muslims joined PKR and three Muslims Bersatu, making 66 non-Muslims and 61 Muslims, with the Muslim component 48 per cent. This is somewhat similar to the results of the 1999 election, when for the first time UMNO received fewer seats than its coalition partners (72 of 148, or 48.6 per cent) but 11 Parti Pesaka Bumiputera Bersatu representatives in Sarawak lifted the BN Muslim component to 83, or 56.1 per cent. However, later resignations of UMNO MPs – three of whom have already joined Bersatu, and others have declared their support for the PH government – together with the withdrawal of all Sarawak and Sabah components of the BN and their affirmations of being “PH friendly”, mean that the PH is now effectively a Malay-dominated alliance. And in addition to its success in winning most of the peninsular Malay majority seats, PH also had more Malays elected on the peninsula than UMNO – 51 (PKR 26, PPBM 13, PAN 11, DAP 1) compared to 46. With ten UMNO peninsular representatives subsequently leaving the party, three of whom joined PPBM, the figures are now PH 54 and UMNO 36.

Parliament remains a predominantly Malay-Muslim institution. The PH and UMNO Malays elected for the peninsula on 9 May totalled 97. To this must be added a further 10 Malays elected for the BN in Sarawak, and 14 in Sabah (7 UMNO, 6 Warisan and one from PRK). In total, 121 members (54.5 per cent) of the House of Representatives are Malay/Muslims. The cabinet formed after the elections is also overwhelmingly Malay-Muslim: 18 of its 26 members are Malays (69 per cent), and the key posts of prime minister and deputy prime minister are held by Malays.

The final critical electorates in the GE 14 were the once “fixed deposit” states of Sabah/Labuan and Sarawak. In the former, the BN won 23 seats in 2013 but was reduced to 11 in 2018. UMNO seats fell from 15 to eight. In Sarawak the decline was less marked – as mentioned it was the

only state where the BN won the popular vote – but still went from 25 to 19 seats.

What Caused the Shift?

A multitude of factors contributed to the GE14's unexpected outcome. The immediate issues raised in the election campaign doubtlessly played a part. Analysts agree that the PH focus on the rising cost of living resonated with a large number of voters, particularly its emphasis on the GST (see for example, *The Star* 2018a). Similarly, opposition to corruption and governance reform attracted wide support. The BN's claim that this was all based on lies was ineffective in an age when detailed contrary evidence was widely circulated online. Youth voters were particularly focused on such issues, and with 41 per cent of the electorate aged between 21 and 39 they played an important role (Welsh 2018a: 17). Both sides were actively engaged in a cyber war, but the PH message was more compelling.

The BN made a number of miscalculations. Centring the campaign on Najib ignored his deep unpopularity due to multiple corruption scandals, his autocratic rule, and the ostentatious lifestyle he shared with his wife. Najib's omnipresence contrasted unfavourably with scenes of the EC cutting out "banned" campaign photos of Mahathir. Other actions by the EC and ROS directed against PH appeared excessively vindictive. And the three-cornered contest including PAS, which Najib had orchestrated, worked more in favour of PH and PAS than the BN.¹⁶

The BN was also out-campaigned by the opposition. The PH was able to decide on the allocation of parliamentary seats well before the election, and it published its manifesto a month before the BN. Mahathir, always a skilful election campaigner, was a much more effective communicator than Najib, drawing enthusiastic crowds to his many public talks. The alliance between former enemies Mahathir and Anwar Ibrahim brought together the two most charismatic Malay leaders, each with committed followers; neither could have won without the other.

Viewed in a broader context, the seminal decline of UMNO that dates to the *reformasi* period in the 1990s finally reached a tipping point. The emergence of a new critical middle class – including both Malays and non-Malays – and the wider availability of alternative information through digital means, at a time when 1MDB and other corruption issues reached

16 UMNO achieved a simple majority for only 13 of its 54 seats, but because of three cornered contests won 41 more. PKR and PAS combined won 42 seats under similar circumstances: PKR, 33; PAS, 9 (*Malaysiakini* 2018).

unprecedented heights, sealed UMNO's fate. Najib's attempt to address these issues by an ethnonationalist appeal to the Malay electorate failed spectacularly. The vote was in many respects a vote against the BN rather than a vote for the PH. As the election results came in Najib did try to manoeuvre and cling to power, but the size of PH's vote, the decision of key institutions such as the police and rulers to accept this, and the vigilance of civil society electoral observers brought a peaceful end to the BN's long-standing dominance.

The Future

Months after the GE14, the UMNO appears to be disintegrating. It has lost nearly all its coalition allies. A party assembly in June 2018 saw Najib-aligned leaders taking most leadership positions and endorsing the same failed policies. Najib and new leader Zahid are facing multiple corruption charges, and more prosecutions will follow. The means by which UMNO exerted control – particularly through use of the coercive powers of the state and political patronage – have largely been taken away from it, and new more democratic and accountable processes put in place. At the time of writing no less than 17 parliamentarians have left the party, along with many more at the state assembly level, and virtually the entire leadership in Sabah, the state with the largest UMNO membership.¹⁷ More resignations seem likely. In the longer term, the PH-initiated political reform, the continuing process of urbanisation, the growth of the middle class, and the growing political influence of younger voters – particularly if proposals to reduce the voting age to 18 go ahead – will make it extremely difficult for UMNO to return.

Nonetheless, it is too early to write UMNO off. Electoral fortunes can change quickly, as illustrated by the fact that the largest party in the current parliament, PKR, won only one seat in the 2004 elections. Regime change is notoriously difficult, and there have been many missteps and conflicts within the new government. The collapse of the PH, or the economy, could provide opportunities for UMNO's resurgence in the longer term. UMNO remains a party with vast resources, and with leaders who have significant experience stoking ethnonationalist fears. But UMNO's future now rests more with the PH government than in its own hands.

17 In addition to five MP resignations, two senators, nine assemblypersons, and 21 of 25 division heads resigned en masse from Sabah UMNO on 12 December. Only one of eight UMNO parliamentarians, and one of ten assemblypersons, remain with the party.

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